

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 01-503
ACTION AGAINST)	
)	
Gregory Nelson)	Notice of Administrative
)	Charges
Respondent.)	
<hr/>		

IT IS ALLEGED as follows:

I.
JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Commission, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II.
LAW

RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts, states in part: “(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year...”

RCW 42.17.241 details the content required in each report.

WAC 390-24-010 Forms for Statement of Financial Affairs, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 11/97...”

III. **FACTS**

The Respondent, Gregory Nelson, is a Fire Commissioner for King County Fire Protection District #20, 12424 76th Avenue, Seattle, Washington. His term of office ends in the year 2005. (**Exhibit 1**) Mr. Nelson held office during 2000 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2001. Because April 15th fell on a Sunday, the form was due on Monday, April 16, 2001. The F-1 report was not filed. On May 17, 2001, Gregory Nelson was sent a postcard informing him that the F-1 report due by April 16, 2001 had not been received. (**Exhibit 2**) On June 15, 2001, Mr. Nelson was notified of a brief enforcement hearing scheduled for July 24, 2001. On July 17, 2001, Mr. Nelson was notified that the brief enforcement hearing had been rescheduled to July 30, 2001. He was given an opportunity to file the missing F-1 report, sign a Statement of Understanding, admitting a violation, and pay a penalty of \$50. (**Exhibit 3**) No response was received. On July 30, 2001, Chair Christine Yorozu asked that the full commission hear the matter. The F-1 report due April 16, 2001 has not been received.

Past History – On October 6, 2000, the PDC sent a hearing notice in PDC Case No. 01-091 to Mr. Gregory Nelson alleging that Mr. Nelson failed to file a Personal Financial Affairs Statement, PDC Form F-1, by April 17, 2000. On December 4, 2000, an order was entered finding Mr. Nelson in violation of RCW 42.17.240 and assessing a civil penalty of \$200. The PDC’s decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Mr. Nelson. The civil penalty assessed has not been paid.

On November 23, 1999, the PDC sent a hearing notice in PDC Case No. 00-649 to Mr. Gregory Nelson alleging that when Mr. Nelson was a candidate in 1999, he failed to file a Candidate Registration form, PDC Form C-1, within two weeks of becoming a candidate. On January 14, 2000, an order was entered finding Mr. Nelson in violation of RCW 42.17.050 and assessing a civil penalty of \$50 with \$50 suspended on the condition that the Respondent commits no violations of RCW 42.17 for a period of two (2) years. The PDC's decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Mr. Nelson. The terms of the suspension have not been complied with and PDC staff asking that the \$50 penalty be reinstated.

IV.
CONCLUSION

Staff alleges, based on the facts specified in Section III, that Gregory Nelson violated RCW 42.17.240 by failing to file a Statement of Financial Affairs (PDC form F-1) by April 16, 2001.

RESPECTFULLY SUBMITTED this 7th day of August, 2001.

Philip E. Stutzman
Director of Compliance